

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JEREMY BAILEY,
Plaintiff

v.

LIEUTENANT YODER, et al.,
Defendants

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No. 1:20-cv-01836

(Judge Kane)

ORDER

AND NOW, on this 7th day of November 2023, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. Defendants' request to dismiss plaintiff's deliberate indifference claim for failure to exhaust administrative remedies is **DENIED**;
2. Plaintiff's claims for injunctive and declaratory relief are **DISMISSED** without prejudice as moot;
3. The Court will conduct a telephone conference with counsel for all parties on **November 16, 2023 at 11:30 a.m.** Counsel for Plaintiff shall initiate the telephone conference by calling the Court after all parties are on the line. The telephone number of the Court for purposes of the conference call is 717-221-3990; and
4. On or before **November 21, 2023**, the parties shall submit a joint status report indicating whether they wish to have this case referred for a settlement conference with a United States Magistrate Judge or to the Court's Prisoner Litigation Settlement Program.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania